

REMARKS

Summary of the Office Action

Claims 1 and 2 remain rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,697,130 to Weindorf et al.

Claims 4, 7-8, 26, 28 and 29 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,781,648 to Takahashi et al. in view of Weindorf et al.

Claim 6 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. in view of Weindorf et al. and further in view of European Patent Application No. EP 0580 908 to Uratani.

Summary of the Response to the Office Action

Applicants have amended claims 1, 4 and 26 to more particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Also, Applicants have canceled claim 41 without prejudice or disclaimer. Accordingly, claims 1, 2, 4, 6-8, 26, 28 and 29 remain pending in this application for further consideration with claims 5, 9-25, 27, 30-40 and 42-44 being withdrawn from consideration.

All Claims Define Allowable Subject Matter

Claims 1 and 2 remain rejected under 35 U.S.C. § 102(e) as being anticipated by Weindorf et al. Claims 4, 7-8, 26, 28 and 29 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. in view of Weindorf et al. Claim 6 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al. in view of Weindorf et al. and further in view of Uratani. To the extent that the rejections might be reapplied to the claims as

presently amended, they are respectfully traversed as being based on a reference or a combination of references that does not teach or suggest the novel combination of features recited in the claims.

With regard to independent claim 1, as newly-amended, Applicants respectfully submit that Weindorf et al. fails to teach or suggest a claimed combination, including at least a recited feature of “each of the plurality of light emitting diodes has a portion disposed inside the housing and a portion disposed outside the housing.”

The Final Office Action appears to allege Weindorf et al. teaches or suggests each and every feature of independent claim 1. In contrast to the present invention of newly-amended independent claim 1, Weindorf et al. merely discloses LED 400 formed on an LED circuit board, but fails to teach or suggest the claimed combination including at least a recited feature of “each of the plurality of light emitting diodes has a portion disposed inside the housing and a portion disposed outside the housing,” as recited by newly-amended independent claim 1.

With regard to each of independent claims 4 and 26, as newly-amended, Applicants respectfully submit that Takahashi et al. and Weindorf et al., whether taken individually or in combination, do not teach or suggest a claimed combination including at least a recited feature of “each of the plurality of light emitting diodes has a portion disposed inside the housing and a portion disposed outside the housing.”

The Final Office Action appears to allege that Takahashi et al. teaches or suggests each and every feature of independent claims 4 and 26 except for a feature of “the light emitting diodes are disposed in order of white, red, green and blue.” The Office Action relies upon Weindorf et al. to teach such a feature. In contrast to the present invention of newly-amended independent claims 4 and 26, Takahashi et al. merely discloses that LEDs are entirely

accommodated in a cup-shaped window 105. (see col. 5, lines 16-23 and FIG. 3 of Takahashi et al.). Takahashi et al. fails to teach or suggest the above-noted feature of claims 4 and 26. Moreover, as discussed above, Weindorf et al. fails to teach or suggest the feature of “each of the plurality of light emitting diodes has a portion disposed inside the housing and a portion disposed outside the housing.” In other words, Applicants respectfully submit that Takahashi et al. and Weindorf et al., whether taken individually or in combination, do not teach or suggest a claimed combination including at least a recited feature of “each of the plurality of light emitting diodes has a portion disposed inside the housing and a portion disposed outside the housing,” as recited by newly-amended independent claims 4 and 26.

In addition, the Office Action does not rely upon Uratani to cure the above-noted deficiencies of Takahashi et al. and Weindorf et al. Further, Uratani cannot remedy the deficiencies of Takahashi et al. and Weindorf et al. That is, Uratani also fails to teach or suggest the above-described feature of newly-amended independent claims 1, 4 and 26.

As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Also, MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).”

Accordingly, for at least the reasons set forth above, Applicants respectfully request that the rejection of independent claim 1 under 35 U.S.C. § 102(e) and the rejection of independent claims 4 and 26 under 35 U.S.C. § 103(a) be withdrawn because the applied references,

individually or in combination, fail to teach or suggest each and every feature of independent claims 1, 4 and 26, as newly-amended. Further, the rejections of claims 2, 6-8, 28 and 29 should also be withdrawn at least because of their dependencies upon the respective independent claims 1, 4 and 26 and for the reasons as those set forth above.

With no other rejection pending, Applicants respectfully submit that claim 1, 2, 4, 6-8, 26, 28 and 29 are in condition for allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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